



MEMORANDUM

COMMUNITY DEVELOPMENT DEPARTMENT

To: North 40 Advisory Committee

From: Sandy L. Baily, Director of Community Development

Subject: North 40 Advisory Committee Meeting Report

Date: June 21, 2013

BACKGROUND:

At the meeting of June 5, 2013, the North 40 Advisory Committee (AC) requested that prior to continuing its review of the N40 Specific Plan, that the Committee should first discuss the commercial square footage and the phasing of the Plan.

DISCUSSION:

Commercial Square Footage – Refer to attached revised Table 2-2 (Exhibit 1) and Table 2-7 (Exhibit 2).

- Table 2-2 was revised to reflect the EIR Notice of Preparation language of 280,000 square feet inclusive of existing commercial. Additional clarification was added at the end of the note and under the submittal requirements per AC direction.
- Table 2-7 was revised to include ranges in the % of Total column. This was to add flexibility per AC direction.

Phasing – Phasing is addressed in the Draft Specific Plan in Chapter 6 starting on page 6-1. Due to the multiple land owners within the Specific Plan Area (Exhibit 3), the varied parcel size and the unknown acquisition constraints, the Draft Specific Plan has incorporated phasing objectives instead of standards. The phasing objectives are only one of the ways the Draft Specific Plan directs phasing and the mix of uses on the site. All applications will have to meet the phasing objectives as well as meet the intent of the North 40 Vision Statement, Guiding Principles and the land use policies including:

- **Guiding Principal:** The North 40 will minimize or mitigate impacts on the town infrastructure, schools, and other community services.
- **Policy LU3: Mix of Uses:** Provide a mix of uses to promote the creating of a lively, walkable neighborhood that makes the North 40 Specific Plan Area a resource to the North 40 residents, businesses and adjacent neighborhoods.

- **Policy LU6: Retail:** Retail uses within the Specific Plan Area are intended to serve the North 40 residents, adjacent neighborhoods and nearby employment centers.
- **Policy LU7: Restaurants:** Eating and drinking establishments within the Specific Plan Area are intended to serve the North 40 residents, adjacent neighborhoods and nearby employment centers.

The phasing will also be somewhat controlled by the Specific Plan development parameters with the number of residential units and the maximum commercial square footage. These restrictions help ensure that the Specific Plan Area will be developed as a mix of land uses rather than all one land use.

Another consideration is the phasing of the infrastructure. There will need to be a significant investment to build the backbone infrastructure of roads, stormwater, water and other utilities. Much of the backbone infrastructure will need to be in the first phase of development.

The Draft Specific Plan suggests that the phasing would begin in the Lark District which will be primarily residential. This would allow the residential to be built first so it is established before the commercial and therefore can feed the commercial minimizing new commercial competing with downtown.

Some of the AC members questioned if the phasing could be similar to a mixed use development that was recently approved by the Town. The performance standard approved for that development regulated how many residential building permits could be issued prior to when building permits for the commercial structures could be issued. In addition, the performance standard also regulated how many residential units could be finished prior to when the commercial buildings could be finished. This performance standard did not regulate the timing of the tenant improvements for the commercial structures.

Due to the size of the recently approved project and being under one property owner, this type of regulation is more manageable and would be difficult to regulate for larger developments under different ownerships. It should be noted that for the mixed use development referenced, the residential portion of the development was sold off to another developer, and it has become a challenge for the new property owners to implement as the residential developer is ready to pull all their permits and begin construction, but cannot due to the status of the commercial development over which they have no control.

Permitted Land Use Table - At the May 5, 2013, Advisory Committee meeting the AC requested that the Permitted Land Use Table be revised to be more specific to the N40 and to simplify the list of uses. Attached is a revised list of uses which is based on the Town's permitted uses, CUP table and input from the March 2012 AC discussion (Exhibit 4). The AC can choose to review and discuss this table while still in Chapter 2 discussions or wait until the review of the revised draft plan.

NEXT STEPS:

The AC will continue to have a series of meetings to review the Draft Plan. Once the AC has completed its review of the Draft Plan, the DEIR will be completed. Depending on the AC review process, it is anticipated that a joint study session with the Planning Commission and Town Council may occur in August and the Final Draft Plan and the DEIR will be completed in the fall of 2013, and public hearings by the Planning Commission and Town Council will occur in late fall or early winter 2013.

Exhibits:

1. Revised Table 2-2
2. Revised Table 2-7
3. Ownership Map
4. Revised Permitted Land Use Table
5. Emailed letter from Don Capobres, Senior Vice President, Grosvenor Americas, received June 21, 2013

2.5 AREA-WIDE DEVELOPMENT REGULATIONS

An important objective of this Specific Plan is to set the parameters for development within the Specific Plan Area. The goal is to offer a compatible mix of land uses in a pedestrian-friendly environment. The following development standards tailor the existing Town standards to shape the desired built form and ensure compatibility with the surrounding neighborhoods and Los Gatos' small town character. This section initially addresses development regulations that apply throughout the Specific Plan Area, followed by development regulations that are specifically designed for non-residential and residential land uses.

2.5.1 MAXIMUM DEVELOPMENT CAPACITY

A maximum development capacity has been provided to limit the overall build-out of the Specific Plan Area and provide an appropriate balance of land uses that meet the goals and objectives of the Specific Plan.

Table 2-2 defines maximums of 125,000 square feet (sf) of office, 125,000 sf of hotel, 400,000 sf of commercial (includes: restaurants, retail, specialty market, health club, personal services and entertainment), and 364 residential units. More restrictive than the Town's General Plan, the Specific Plan has a maximum capacity of 520,000 sf of non-residential square footage (including the approximately 66,000 sf of existing commercial square footage), of which no more than 400,000 sf can be commercial. Refer to Table 2-8 for detail on residential square footage.

TABLE 2-2 MAXIMUM DEVELOPMENT CAPACITY

	UNITS	SQUARE FEET
RESIDENTIAL	364	REFER TO TABLE 2-8
OFFICE		125,000
HOTEL		125,000
COMMERCIAL (EXCLUDING OFFICE)		
• RESTAURANTS		
• RETAIL		
• SPECIALTY MARKET		
• HEALTH CLUB		
• PERSONAL SERVICE (BEAUTY SUPPLY, NAIL SALON, ETC.)		400,000
• ENTERTAINMENT		

NOTE: NON-RESIDENTIAL AREA INCLUDES APPROXIMATELY 66,000 SQUARE FEET OF EXISTING BUILDINGS. MAXIMUM NON-RESIDENTIAL BUILDING SQUARE FOOTAGE SHALL NOT EXCEED 580,000 SQUARE FEET, INCLUSIVE OF THE EXISTING BUILDING SQUARE FOOTAGE. COMMERCIAL (INCLUDING RETAIL, RESTAURANTS, PERSONAL SERVICES, HEALTH CLUB, AND ENTERTAINMENT) CANNOT EXCEED 400,000 SQUARE FEET OR THE MAXIMUM TRAFFIC CAPACITY EVALUATED IN THE EIR.

Development Capacity Submittal Requirement:

Every application for Architecture and Site Review shall include a table that identifies the following:

- Proposed project building floor area **subdivided** categorized by land use.
- New total developed building floor area **subdivided** categorized by land use.
- **Balance of allowed land use square footage shown in Table 2-2.**

roof edge, wall, parapet, mansard, or other point directly above that grade. For portions of a structure located directly above a cellar, the height measurement for that portion of the structure shall be measured as the plumb vertical distance from the existing natural grade to the uppermost point of the structure directly over that point in the existing natural grade. No point of the roof or other structural element within the exterior perimeter of the structure shall extend beyond the plane established by the maximum height plane except as allowed by the height exception.

2.6.7 MAXIMUM PERCENT OF INDIVIDUAL RETAIL TENANT SPACE

The Specific Plan Area shall be developed with the following additional limitations on the percentage of square feet that can be developed within the various ranges of retail tenant sizes as defined in Table 2-7.

Table 2-7 controls commercial space tenant sizes by placing limits on the percentage of square feet that can be developed within various ranges. The percent applies to the maximum total building square footage at buildout. Table 2-7 limits smaller tenant spaces that may compete with other existing uses in the Downtown; while allowing for larger space for commercial uses, such as sit-down restaurants, specialty market, entertainment, formula retail, etc., that could serve unmet needs for the new and surrounding business and residential neighborhoods.

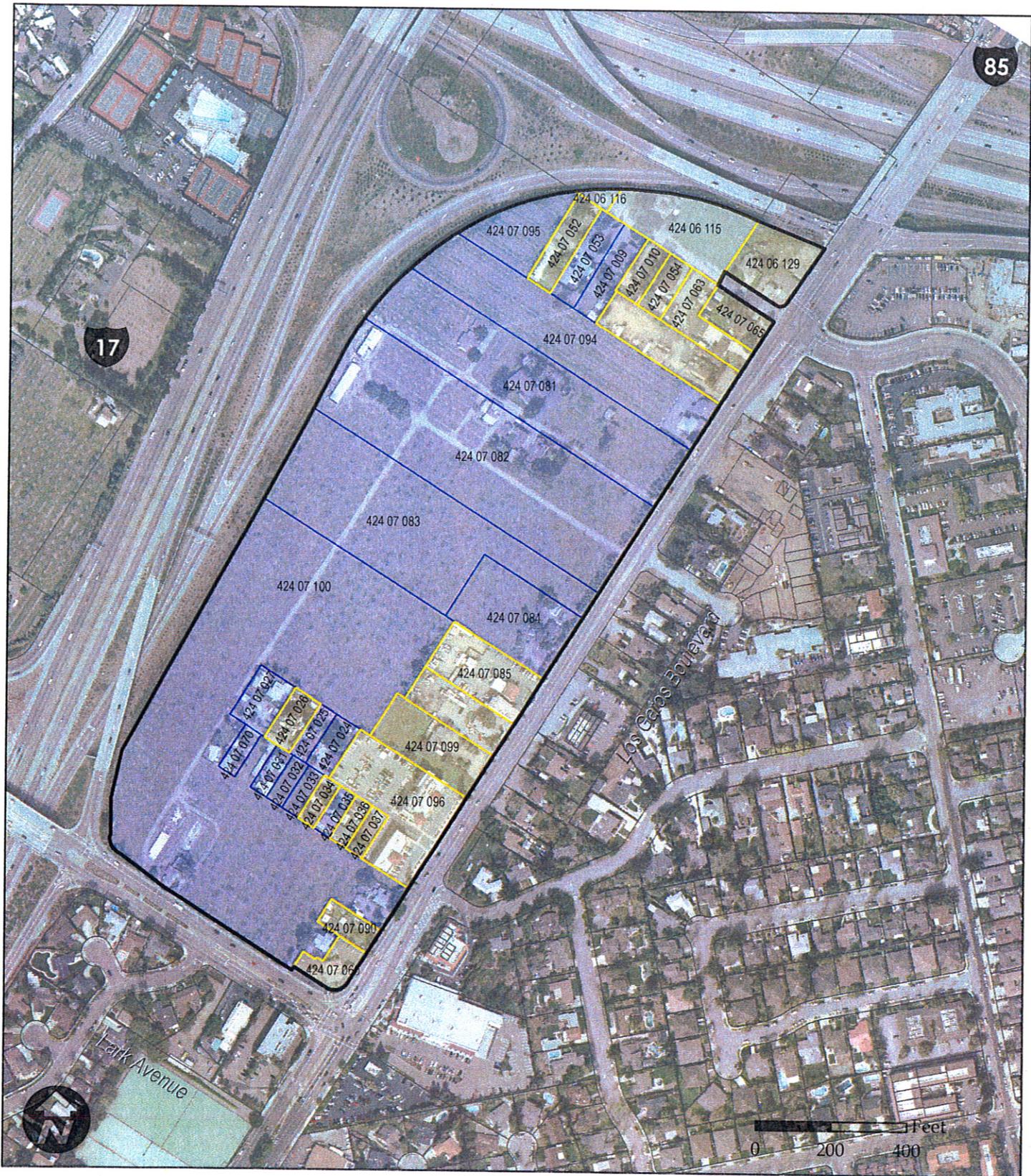
[updated to include ranges]

TABLE 2-7 ADDITIONAL LIMITATIONS FOR COMMERCIAL (400,000 SF)

INDIVIDUAL STORE SIZE	% RANGE OF TOTAL
0 - 1,500 sf	3 - 7
1,501 - 3,000 sf	3 - 7
3,001 - 10,000 sf	22 - 28
10,001 - 25,000 sf	22 - 28
25,001 - 50,000 sf	36 - 44
*PERCENTAGES APPLY TO 400,000 SF OR THE TOTAL AMOUNT OF NEW COMMERCIAL SF AT BUILDOUT.	
MAXIMUM INDIVIDUAL COMMERCIAL TENANT SIZE	50,000 SQUARE FEET

Floor Area Calculations: Every application for Architecture and Site Review shall include a table that identifies the following:

- a. Percent of total Specific Plan Area square footage allocated to the same tenant square footage range existing at the time of the application submittal.



North 40 Specific Plan Property Ownership

Property Owner

- Properties owned by Yuki Family
- All Other Property



Source: Town of Los Gatos
Date: June 20, 2013

2.4 PERMITTED LAND USES

The Specific Plan land uses help to create a pedestrian-oriented and interactive environment that is compatible with surrounding neighborhoods as well as provides for on-site uses that are compatible with each other. The Specific Plan specifies the desired mix, as well as the location of land uses. In general, lower intensity shops, offices and residential land uses are envisioned in the southern portion of the Specific Plan Area. Moving northward, potential land uses transition to mixed-use residential and potential hospitality uses to provide a buffer between primarily residential uses in the southern portion of the Specific Plan Area and the entertainment, restaurant and shopping uses envisioned in the northern portion of the Specific Plan Area. The Specific Plan establishes two primary land use categories to guide development within the Specific Plan Area. These land uses categories are: (1) non-residential – including retail, office, recreation, community services, restaurants, entertainment, and hotel, and (2) residential – including condominium, cottage cluster/garden cluster housing, live-work flats, multi-family flats, multiplexes, rowhouses and townhomes. Residential development is focused on multi-family housing types and shall be designed to attract the unmet housing needs of the community. Within the Transition District, the Specific Plan encourages the development of residential units over retail development. It is important to provide an appropriate amount of residential developed in the Specific Plan Area to create a sustainable and pedestrian-oriented mixed-use environment. Although residential uses will be an important component to the success of the Specific Plan Area, it will support the predominantly retail and neighborhood serving focus of the Transition and Northern Districts.

2.4.1 PERMITTED AND CONDITIONALLY PERMITTED USES

Primary uses for each of the three Districts are generally described in Section 2.3, while Table 2-1, below, provides specific direction on permitted (P) and conditionally permitted uses (CUP) for each district. Uses not listed in Table 2-1 are prohibited. Refer to the Zoning Ordinance for definition of uses.

Conditional Use Permits shall meet the intent of the North 40 Goals, Policies, Vision Statement, and Guiding Principles.

TABLE 2-1 PERMITTED LAND USES

	LARK DISTRICT	TRANSITION DISTRICT	NORTHERN DISTRICT
COMMERCIAL			
A. RETAIL	P	P	P
B. FORMULA RETAIL BUSINESS	--	P	P
C. MARKET HALL/SPECIALTY MARKET	--	P	P
D. ESTABLISHMENT SELLING ALCOHOLIC BEVERAGES FOR CONSUMPTION OFF-PREMISES	CUP	CUP	CUP
E. ESTABLISHMENT SELLING ALCOHOLIC BEVERAGES FOR CONSUMPTION ON PREMISES			
• IN CONJUNCTION WITH A RESTAURANT	P	P	P
• WITHOUT FOOD SERVICE (BAR)	--	CUP	CUP

TABLE 2-1 PERMITTED LAND USES

	LARK DISTRICT	TRANSITION DISTRICT	NORTHERN DISTRICT
COMMERCIAL (CONTINUED)			
F. DRIVE-UP WINDOW FOR ANY BUSINESS, EXCLUDING RESTAURANTS	--	--	CUP
G. SUPER DRUGSTORE	--	--	P
H. SUPERMARKET	--	--	P
I. RESTAURANT	P	P	P
J. PERSONAL SERVICE	P	P	P
K. OFFICE	P	P	P
L. HOTEL	--	P	P
M. FINANCIAL INSTITUTION	--	P	P
RESIDENTIAL			
A. COTTAGE CLUSTER	CUP	--	--
B. TOWNHOMES/GARDEN CLUSTER	P	P	CUP
C. ROWHOUSES	P	P	P
D. MULTI-FAMILY	P	P	P
E. CONDOMINIUMS	P	P	P
G. LIVE/WORK LOFTS	--	P	P

TABLE 2-1 PERMITTED LAND USES

	LARK DISTRICT	TRANSITION DISTRICT	NORTHERN DISTRICT
RECREATION/ENTERTAINMENT			
A. OUTDOOR ENTERTAINMENT	--	CUP	P
B. LIVE THEATER	--	--	CUP
C. HEALTH CLUB	--	CUP	CUP
D. COMMERCIAL RECREATION AND AMUSEMENT ESTABLISHMENT	--	--	CUP
COMMUNITY SERVICES			
A. CLUB, LODGE, HALL, FRATERNAL ORGANIZATION, NON-PROFIT	CUP	CUP	CUP
B. PARK, PLAZA, PLAYGROUND	P	P	P
C. PUBLIC BUILDING	P	P	P
D. PUBLIC TRANSPORTATION AND PARKING FACILITIES	P	P	P
E. RELIGIOUS OBSERVANCE	CUP	CUP	CUP

TABLE 2-1 PERMITTED LAND USES

	LARK DISTRICT	TRANSITION DISTRICT	NORTHERN DISTRICT
SCHOOLS			
A. PRIVATE AND PUBLIC	CUP	CUP	CUP
B. STUDIOS - ARTS, CRAFTS	CUP	CUP	CUP
C. DAY CARE CENTER	CUP	CUP	CUP
D. SMALL FAMILY DAY CARE HOME	P	P	P
E. LARGE FAMILY DAY CARE HOME	CUP	CUP	CUP
TRANSMISSION FACILITIES/UTILITIES			
A. TRANSMISSION FACILITIES AND UTILITIES	CUP	CUP	CUP
B. RADIO/BROADCAST STUDIOS	CUP	CUP	CUP
AUTOMOTIVE (VEHICLE SALES, SERVICE & RELATED ACTIVITIES)			
A. CAR WASH	--	--	CUP
B. NEW VEHICLE SALES AND RENTAL	--	--	CUP
C. ALTERNATING USE/ SHARED PARKING OF OFF-STREET PARKING SPACES	P	P	P

TABLE 2-1 PERMITTED LAND USES

	LARK DISTRICT	TRANSITION DISTRICT	NORTHERN DISTRICT
AGRICULTURE AND ANIMAL SERVICES			
A. BOTANICAL NURSERY	P	P	P
B. VETERINARY HOSPITAL (WITHOUT KENNEL)	--	CUP	CUP
OTHER			
A. 24 BUSINESSES OR BUSINESSES OPEN BETWEEN THE HOURS OF 2:00 AND 6:00 AM	--	--	CUP

2.4.2 NON-CONFORMING USES

Existing legal uses that are not permitted or listed in Table 2-1 are declared non-conforming uses. Refer to Division 5 of Article 1 of the Zoning Ordinance for definitions and regulations for managing non-conforming uses including:

- Continuation of an existing use.
- Repair, alteration, and maintenance.
- Expansion of legal non-conforming uses, buildings, or structures.



GROSVENOR

June 21, 2013

Town of Los Gatos
North Forty Specific Plan Advisory Committee
c/o Sandy Baily, Planning Manager
110 E. Main St.
Los Gatos, California 95031

RECEIVED

JUN 21 2013

TOWN OF LOS GATOS
PLANNING DIVISION

Dear Committee Members:

As discussed in our previous correspondence, we are providing a comprehensive list of comments on the Draft Specific Plan (Attachment A). We will also be forwarding a copy of our marked up Draft Specific Plan to staff.

Before you began your review of the Draft Specific Plan, we identified four primary areas that we wanted to discuss. They were: building setback requirements; residential product design; commercial signage; and street sections. These were in addition to our concern about height which was shared last August. At the May 23rd and June 5th meetings, the Committee had comprehensive conversation about building setbacks, product design, street sections and height, and we anticipate commercial signage will be discussed at an upcoming meeting. While it seemed there was general consensus and direction provided to staff and the Specific Plan consultants to consider alternate standards and parameters, it was not clear to us what changes would be made in the final draft. Please consider our comments when instructing staff to make the final edits. Exhibit B includes expanded discussion about height as well as methodology for measurement. Exhibit C (provided to you last meeting) shows how providing flexibility in setbacks would result in a more interesting and higher quality neighborhood design.

As you have gone through the document, additional issues have been raised that we would like to discuss. These include:

- Discussion about reducing the maximum development capacity for commercial uses (excluding office and hotel) from the 400,000 square feet that is shown in Table 2-2. This is the topic of our June 5, 2013 correspondence where we requested the following changes to the Specific Plan:
 - Allowing up to 400,000 of net new square feet of commercial space (exclusive of hotel and office) in the Transition and Northern districts;
 - That the Lark and Transition zones be allocated up to 60,000 square feet of neighborhood serving retail;



- If an existing retail property is demolished and improved, the existing square footage would be added to the new square footage allowed;
 - Table 2-7 should provide a range of percentages, as hitting these precisely will be virtually impossible to implement. For example, there could be a range of within several percentage points of what is shown on this table, such as 22% - 28% rather than a strict 25%; and
 - Table 2-7 should apply to all newly built commercial space, not to the existing onsite uses.
 - If a reduction of retail square footage is going to be entertained, replacement uses need to be considered to maintain economic feasibility of the North 40. Consideration should be given to critical mass of use types that is required for successful implementation of a new development project.
- Discussion about tying permits of certain land uses (residential) to the construction of others (retail/commercial). This was also referred to as "phasing". This is a major issue and we would like to discuss phasing dynamics with the Advisory Committee further. Our concerns include:
- The ~15 property owners and various existing occupancies throughout the North 40 make control over location and timing of construction very complicated.
 - A Specific Plan is a comprehensive planning document that governs the direction of discrete development applications over time. Tying land use building permits together may force some developers to submit applications that do not meet the overall land planning objectives of the Specific Plan.
 - The scale of the North 40 and its potential full build-out will likely span at least a couple of economic cycles. What is economically feasible today may not be when land is actually available. Tying pieces together may result in lost potential benefits that come from development.

Further, phasing considerations or the reality of the multiple property owners on the North 40 also raises issues of equity. For any new development to occur on the North 40, major infrastructure improvements will be required. Our estimates exceed \$10 million in backbone infrastructure investment before starting work on specific development parcels within the North 40. For example, there are stormwater management improvements that will be required to comply with regulations. This system alone will cost millions of dollars. If a master developer such as Grosvenor is to go forward and make this scale of investment, we believe it is only fair to have the other property owners contribute their fair share of this cost. Mechanisms for cost sharing should be included in the Specific Plan Phasing and Infrastructure sections.

We are prepared to discuss this further at the June 27th Advisory Committee Meeting or a subsequent meeting. We also request the opportunity to speak to individual members of the North 40 Specific Plan Advisory Committee to share these concerns.



As always, we appreciate your consideration of our comments.

Sincerely,

A. Don Capobres
Senior Vice President - Development

Grosvenor Americas

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Mobile + 1 415 710 7640
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Attachments:

- A - Specific Plan Comments
- B - Recommended Height Considerations
- C - Setback Exhibits



Attachment A



Land Use Goals and Policies: the revisions contain specific comments regarding definitions for land uses, clarifications, and recommendations as compiled below. These comments focus on making the section more useful and possible to implement. The topics include definition of uses, open spaces, housing types, height limits, parking, setbacks, access, wording of the language, materials, floor plates, implementation, unit size, and sight lines.

- 2-2: Policy LU8: Hotel conference Facilities: should consider revision downward or state as a maximum. Section currently states that the hotel should include a meeting space to accommodate 200-250 people. This requirement will likely impact feasibility of a hotel.
- 2-4:
 - Transition District should add "Plazas" to the types of open spaces
 - Northern District: add "Medical Office" to land use categories. Also include "night clubs" for entertainment (there was interest from the community)
- 2-7: Should consider adding cinema in North District
- 2-9:
 - Add P to Live/Work Lofts at Lark District
 - Need to define the difference between row house and townhome:
 - Row house usually is on the ground and townhome is on podium or is it based on a (de)attached garage
- 2-11: Must clarify whether private patios, on grade or on podium, do or do not qualify as open space.
- 2-12:
 - Need to clarify "partially exceeding the height limit" in terms of when it triggers the 5% increase for open space
 - 30% open space requirement: need interpretation for turf block fire lanes, which will take up large areas in freeway setback
- 2-14:
 - Table 2-4. Guest parking requirements should be reduced to .25 per residential unit in line with other car-oriented suburban communities. This will reduce paving and add to intimate/village feel.
 - 2.5.5 b Permit shared parking based on industry accepted computer modeling that has been substantiated by the results of project in operation. What is shown now may present problems with industry accepted (and tested) formulas used by traffic consultants and can result in over building or over paving to meet only cyclical demands.
 - Mixed Use Parking/ Shared parking reduction, needs to add "Hotel"



- 2-15: The conditional use Permit for only 50% of the required parking may qualify for the shared arrangement, is this an industry standard or an amount determined by this document?
- 2-16:
 - (c) setback descriptions with an asterisk (*) are permitted to have a five foot encroachment or up to 50% of linear building façade must be verified with the residential developer/ architect
 - (f) should consider similar condition at freeway for ~200 feet where parking will be screened from external view by sound wall
 - (g) ...parking lots should be provided in the rear "and sides" should be added
- 2-17:
 - Lark Avenue should not have an additional 10' set back as shown and what projection is allowed into the 30'?
 - Los Gatos Boulevard (if market hall is constructed at edge): instead of "market hall" label as "use with potential spill out south of Neighborhood Street"
- 2-18: South A Street Lark District: Set back should be 18' not 24'
- 2-19:
 - Neighborhood Street: Curb acts as wheel stop (too much detail?)
 - Neighborhood Street: revise Setback Design description to state "Set back design shall include 15' area to be hardscaped with a minimum of 8' clearance at building edge, landscaped planters'... remove the 5'0" dimension noted on the sidewalk section."
- 2-20:
 - North A Street, Noddin Avenue and Burton Road: It may be desirable to have public garages accessed off North A Street, if placed there, they should be designed to integrate with architecture and have decorative painting or detailing
 - Revise both setback design descriptions to read: "setback design shall include 12' area to be hardscaped with street trees at sidewalks or between parking stalls."
- 2-21:
 - Design criteria: remove the word "all" for discussion of standards (in (a) and (b))
 - (g): correct wording to state: "...commercial uses shall be "screened properly" from residential units."
- 2-22:
 - (d)
 - Add "wood" to palette of natural materials
 - add that primary building frontage may be on private or public streets for purposes of total sign area allowed
 - Lot Area Coverage:



- Add lot coverage definition and graphic to glossary to verify
- 2-23: 2.6.6:
 - The maximum height of any non-residential use is 35 feet however, concern for the North District where there is potential to have second floor retail, like A1, where would ideally like 20' floor to floor therefore, would like to bump to 36' for minimum 18' floor to floor. Similar issue for Mixed Use areas where we recommend a minimum of 15' at the ground level and ideally 11' for residential above (that adds to 37')
 - Concern over squeezed floor plates exist: A nominal / planning dimension of 15+10+10 is not an actual construction dimension. Therefore requesting higher gables, parapets, etc. to break through that plane. It becomes a roof design challenge or we will have a lot of 37' tall buildings
- 2-25:
 - Table 2-7: hitting exact percentages is tough, suggest adding a +/- percent variation to each line item so as to artificially force the plans to rigid or exact numbers
 - Floor Area Calculations should add:
 - (d) Exit corridors required at rear of retail spaces, due to the interface with a parking structure or internal building circulation will not be deducted from the allowable commercial building areas
 - (e) enclosed trash rooms and service areas will not be deducted from the allowable commercial building areas
 - Clarify how to treat incorporation of existing building
- 2-26: 2.7.3: Residential Unit Size: Allow flexibility to encourage building of different residential product types.
- 2-27:
 - Table 2-8 Residential Size:
 - Area multiplied by 20% to create a gross area total, this percentage can vary widely depending on layout such as single loaded corridor along freeway, and should permit up to 50% OR omit this factor altogether in the "Approximate Total Area" 50% factor -> a 66.67% net to gross efficiency
 - 2.7.4 Height (Residential)
 - Of concern is exceptions on the next page that allow for little flexibility, for example, a 7:12 pitch roof must lie fully within the height limit
- 2-28
 - (f) Suggestion: moderately sloped roofs can penetrate such as 4:12 and greater can penetrate, or it can look like a Swiss village



- (g)(iii) view of the hillside ridge lines: we are clearly trying to preserve view of hills from principal squares or parks "shall be protected" but should clarify from what points. This is not trying to be achieved from every point of every street. Perhaps choose specific viewpoints to be protects
- 2.7.5 in general, please see exhibits on setbacks (d): the table shows side setbacks at zero, but Porte Cocheres should be in front and can add to the liveliness and interest of streets

Design Guidelines: the revisions contain clarifications of specific elements: views, parking, and housing

- 3-6: Spelling of "Batten" in photo caption
- 3-7: 3.2.5(c): "Views" text is fine if literal interpretation is not expected. Similar to residential, lack of clarity here (views from where) may create an issue later (in the photos on the following pages, the views of the surrounding hills will not be maintained)
- 3-13: (h): Parking Lot standards shall not exceed 15' maximum mounting height. This is a strict standard and will require greater quantities of light fixtures, combined with the density of tree plantings required at open parking areas. Consider 20'-25' for trees.
- 3-44: (c)(i)-(iii): consider having exceptions for say 10% or 15% of the tenants for quantity, size, projection OR permit variation by way of design review otherwise it will be all uniform

Circulation and Streetscape: the revisions contain clarifications on necessary additional information following the Traffic Impact Analysis, setbacks from the curb, dimensions on graphics, lane designations, parking, and driving lanes.

- 4-5: 4.6 Intersection Improvements: additional information should be provided following the completion of the Traffic Impact Analysis
- 4-8: 4.13.1: Lark Avenue: this section may be edited following the Traffic Impact Analysis
- 4-9: Extra 10' setback represents a 55' setback from curb while the houses across Lark have a 17'-19' setback, Why is there such a great difference?
- 4-10: Delete dimensions for orchard spacing from street section. This setback is still larger than that across Lark
- 4-11:
 - 4.13.2: Los Gatos Boulevard: This section may be edited following the Traffic Impact Analysis
 - Diagram/ Image note: later sections are re-formatted to show curb to curb dimensions only; setbacks are covered in a different location. This brings up the question on LG Blvd setbacks relative to awnings, blade signs, porches, and elements analogous to the residential setback exceptions.
- 4-12: Notes on Drawing:



- Not readable measurement amount between the bike lane and the drive lane
- In another section of this Specific Plan a 5' encroachment over the setback line is permitted for a run of up to 100' Cross reference that here, objective: permit misalignments and curves to soften the normally straight edge
- Modify perpendicular parking stalls to measure 16' not 18' with additional 2' overhang
- 4-13:
 - Verify the need for two northbound lanes. Is stacking into the intersection anticipated considering there are no curb cuts on the throat?
 - 4.13-3A Street: this section may be edited following the Traffic Impact Analysis
- 4-14: 7' parallel parking dimension should be used vs. 8' in order to create more intimate/village feel and reduce impermeable pavement.
- 4-15: modify perpendicular parking stalls to measure 16' not 18' with additional 2' overhang. This can reduce asphalt paving area and increase hardscape areas
- 4-16: Strongly encourage 10' or 11' drive lanes to encourage traffic calming and more intimate/village feel
- 4-17:
 - Please verify that the 2' overhang is not in addition to the 15' min. sidewalk
 - Modify diagonal parking space depth to 16'8" to meet Town of Los Gatos parking stds for 45 degree parking (see town standards for reference at <http://www.town.los-gatos.ca.us/index.aspx?NID=614&PREVIEW=YES> Town stds allows for 8.5' parking stalls, and 20' long parallel spaces
- 4-19: See comment in 4-16
- 4-20: This is ok but note about the tree grate is unclear

Plan Implementation, Phasing, and Administration: the notes discuss a question of the boundary between Transition/ Northern District to understand their relationship to Noddin.

- 6-2: the location of the Transition/Northern District boundary looks closer to Noddin than we've previously assumed. This provides more flexibility from a planning standpoint Even if the district boundary is a soft line, does this indicate the center of the gray area?
- 6-3: Same as previous question on this diagram
- 6-5: Financing. Mechanisms for cost sharing should be included in the Specific Plan Phasing and Infrastructure sections

Appendix C: Glossary: the comments discuss specific terms that either need to be included or clarified.



- C-1: Private Open Space should be defined in the Glossary: In a different section of this Plan that Private Open Space is permitted in the calculation of overall open space. Private Open space is not defined in the Glossary. It should be added.
- C-2: Green Space/ Green Open Space: had discussed that podium courtyards would qualify as open space, and green space where landscaped. It should be clearer here that green space should be counted when on top of a podium, parking, or otherwise.
- C-3:
 - Diagram:
 - Given that “roof decks” in “Open Space” and courtyards on podium parking count as open space, it is not clear how this 50% applies in a vertically mixed use building with retail and garage that do not meet the “podium parking” definition on the next page. This diagram needs more clarity.
 - Need to clarify if the sum of green space and plazas/ hardscape/ sidewalks + “open space”
 - Multifamily Flats: Prefer “flats” to the terms condos or apartments: like row house or townhouse it’s a type of unit not an ownership structure
 - Open Space: If the term “roof decks” apply to a condition such as the affordable courtyard over retail and/or parking garage then this definition may suffice. See next note for Podium Parking
- C-4:
 - Podium Parking: this definition would not apply to our “podium” at the affordable block. At ~+16’ this is their only open/ green space and we are counting it in that summation
 - Suggest that podium have a broader definition, since it could have parking, retail, or another use at the base. Should be defined by change in sure and not be so specific
 - Townhouses: Suggest adding that townhouses may also be considered on a parking podium

Appendix D: Young Adult, Senior, and Empty Nester Design Summary: these notes involve the generalizations about these groups of people.

- D-3: baby boomers have the most spending power of all age groups-kids out of college and more earned savings. Generalization that they want “small” is questionable. They want low maintenance, convenient, easy. They also can afford comfort, if not luxury. Room for entertaining is more important. Space for their house sized (not apartment sized) furniture indicates generous and comfortable, not cramped room sizes. See focus group results which were provided to the Advisory Committee.



Attachment B



Heights – Transition District

Citations are in reference to Specific Plan dated "Last Modified May 14, 2013"

Several variables contribute to the measurement of height:

- | | |
|-----------------------------------|--|
| 1. Absolute height | Chapter 2, Paragraphs under 2.6.6, b, c, |
| 2. Exceptions to height limit | Chapter 2, Paragraph under 2.6.6, e, f |
| 3. Number of stories | No reference |
| 4. Measuring point, mixed use | Chapter 2, Paragraph under 2.6.6, g |
| Measuring point, residential | Chapter 2, 2.7.4 a through g |
| 5. Definition of height | No reference in the Glossary |
| 6. Heights and view corridors | Chapter 2 – 2.6.6.e.iii and 2.7.4.e.iii |
| 7. Guest parking / shared parking | Chapter 2 – Table 2-4 and section 2.5.5 |

HEIGHT

Items 1 and 2 are interdependent.

Alternate A – allow a higher absolute height, but maintain exceptions in paragraph 'e' as-is. Exceptions are very restrictive – even a parapet (or at least 70% of it) must fall under the height limit. This starts to affect constructability (what's the smallest parapet I can design and still control water flow/intrusion?). To accommodate normal construction and ceiling heights in the Transition District, the height limit outside the perimeter drop-down band is reasonably 45* feet, 55* feet, with allowance for up to 60 feet in, say 15% of the building footprint. *If measuring point, below, remains as currently defined, add a factor of +2 feet for Measurement Point; see also Number of Stories, below.

Alternate B – allow a moderately higher height limit to allow for typical constructability but increase exceptions:

Height limit outside the perimeter drop-down band be 40* feet and 50* feet. In the Exceptions, permit all sloped roofs and parapets to extend above this limit. Omit restriction "8:12 roof pitch". Or change to 3:12 or greater. Allow up to 60 feet absolute in, say 15% of the building footprint. *If measuring point, below, remains as currently defined, add a factor of ~2 feet.

Current SP text has no limit for towers. In other codes, I've seen allowances for towers, but their area is limited to 1,000 sf. (this would presumably be per application).

NUMBER OF STORIES – may be added to the mixed-use height text to provide further protections for the Town: 3 stories up to 45 feet and 4 stories up to 55 feet.



This will discourage someone from coming in and doing low-market, low-ceiling structures, trying to squeeze another floor into the building height. Provide allowances for pop-up lofts on top floor if space is a 'mezzanine', not a floor. (this is the 15% that might go to 60 feet tall).

MEASURING POINT

There are three reasons that suggest the measurement from finished grade (not the lower of the two) is the best approach for the North 40:

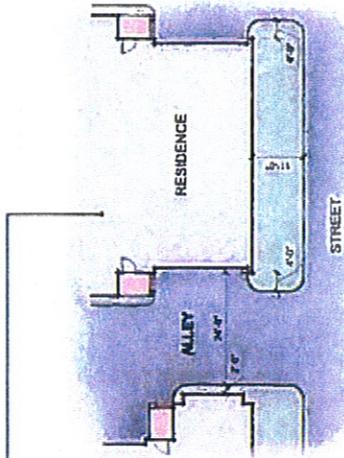
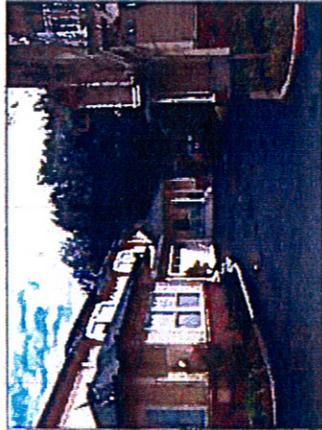
- The North 40 is an extensive area that will undergo neighborhood-wide grading; the former grading, an orchard, is not meaningful in the creation of an integrated new neighborhood, nor for the purpose of building height measurement.
- The 'waterfall' grades coming off LG Boulevard create an awkward condition that should be remediated, plan- wide. Measuring from a sudden dip that's no longer going to exist is illogical. The waterfall is a result of the difference between a 20th century engineered thoroughfare and an earlier remnant of agriculture, now surrounded by asphalt on all four sides. The site must now conform better to adjacent roads and be better integrated. Why penalize for trying to integrate?
- Rational plans call for a largely flat site; adding a hill is not planned. If plans called for grades to be significantly raised, and building height measurements were taken from finished grade, the builder might benefit by using the new grade as the measuring datum. Planned, rational grading calls for a) best practices storm water management and b) easing the waterfall condition to integrate the development with the Town; not for berming to gain height advantage.

DEFINITION OF HEIGHT

Not included in the SP (at least not in the glossary), most jurisdictions have something to the effect: "Height is measured from the midpoint of the street façade to the building's roof, defined as: a) top of membrane in a flat roof or b) eave (or midpoint) of the highest gable in a sloped roof." Also, "On sloping sites, height is measured...." Alternately, some jurisdictions have the height limit as an imaginary plane offset from the finished grade (i.e. the height plane is warped along with the ground). We suggest using the midpoint of the street façade, given that this is largely a flat site. Every flat site has a small cant to it, so having a height plane that tilts with the ground drainage forces larger-footprint mixed-use buildings to base floor-to-floor heights on the lowest corner. If the building is 200' x 200' or larger, the impact to mixed-use could be considerable while townhouse and cluster residential, with smaller footprints would be less affected.

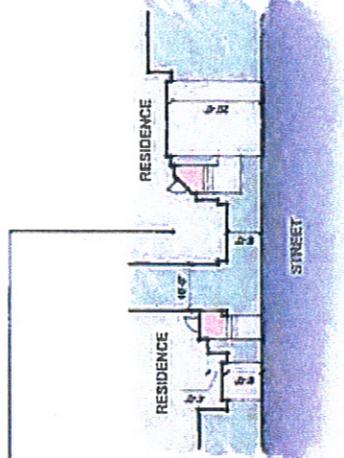


Attachment C



MILL COURT

AVERAGE FACADE TO FACADE DISTANCE ACROSS STREET: APPROX. 25'-0" - 45'-0"



TERRENO DE FLORES LANE

AVERAGE FACADE TO FACADE DISTANCE ACROSS STREET: VARIES
 MINIMUM FACADE TO FACADE DISTANCE AT PROJECT ENTRY: APPROX. 36'-0" - 40'-0"



GROSVENOR



NORTH 40 - LOS GATOS, CA
 SUMMERHILL HOMES



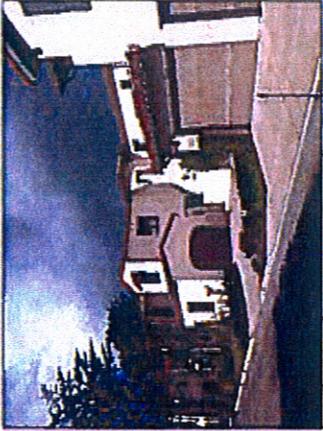
SCALE: N.T.S.

JOB NO 112172

DATE 02-15-13

3645 Chipping Drive
 Irvine, CA 92614
 (949) 261-1000

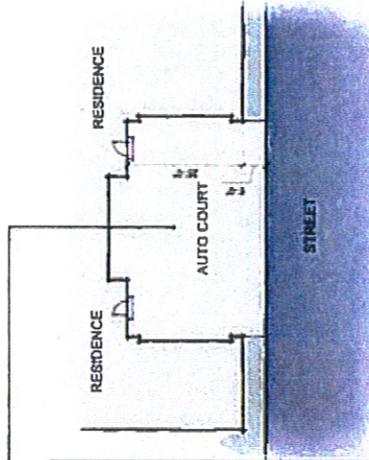
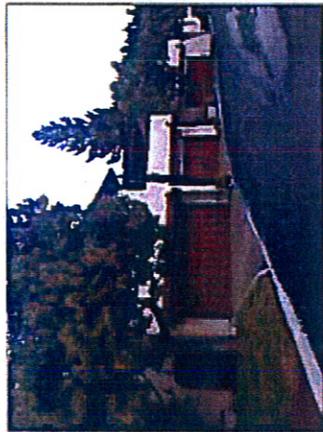
A.1



8'-0" - 10'-0" SETBACK

AVERAGE FACADE TO FACADE DISTANCE ACROSS STREET: APPROX. 40'-0" - 80'-0"

BERSANO LANE



AVERAGE FACADE TO FACADE DISTANCE ACROSS STREET: N/A

VILLA FELICE COURT



GROSVENOR

NORTH 40 - LOS GATOS, CA
SUMMERHILL HOMES



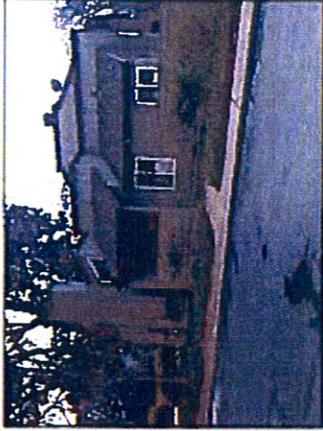
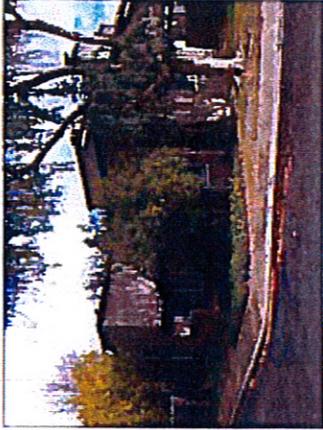
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JOB NO 182.072

DATE 02-15-13

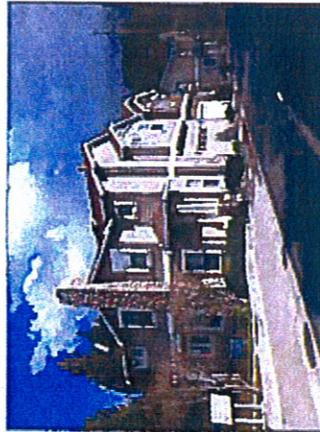
5085 Cornett Drive
Placentia, CA 92658
951.251.1700

A.2



CHARTER OAKS CIRCLE

AVERAGE FACADE TO FACADE DISTANCE ACROSS STREET: VARIES



ADDITIONAL IMAGERY

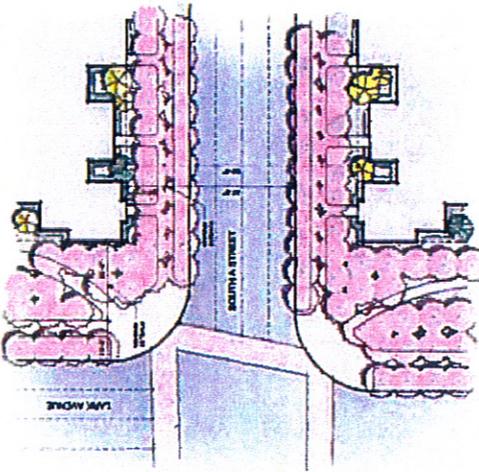


NORTH 40 - LOS GATOS, CA
SUMMERHILL HOMES

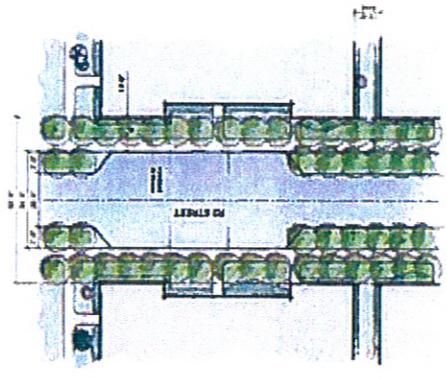
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JOB NO. 132072
DATE 02-15-13
3883 Oakland Drive
Palo Alto, CA 94306
877-751-7200



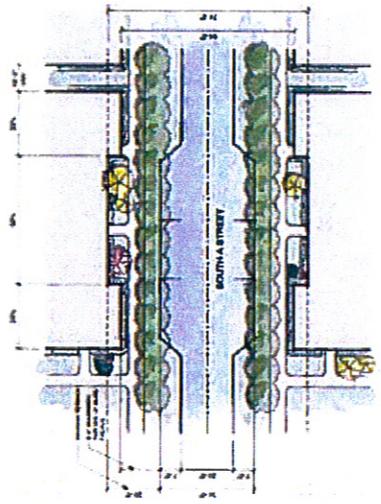
A.3



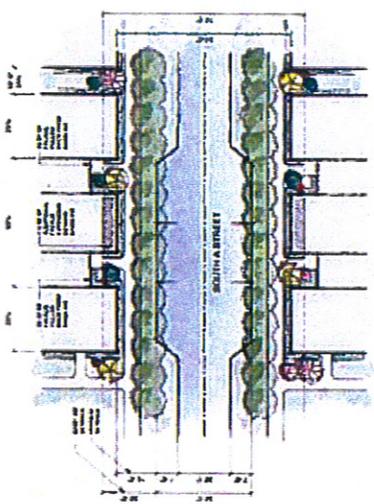
1.2 PROPOSED SETBACKS AT THE CORNER OF LARK AVE. & SOUTH A ST.



4. PROPOSED SETBACK AT THE INTERSECTION

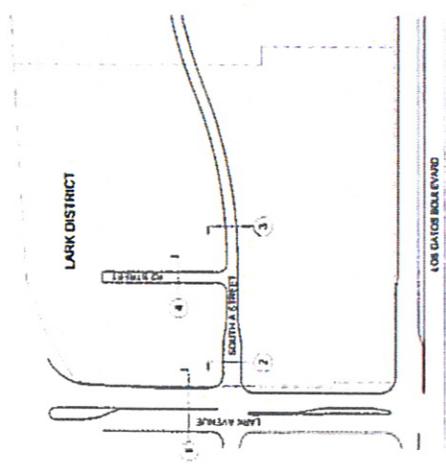


3. PROPOSED SETBACK AT SOUTH A STREET



3. PROPOSED OPTION FOR AGGREGATE SETBACK AT SOUTH A STREET

PROPOSED STREET SETBACKS



SITE KEY

NORTH 40 - LOS GATOS, CA
 SUMMERHILL HOMES
 GROSVENOR

SUMMERHILL HOMES
 COMMUNITIES OF DISTINCTION

SCALE: 1" = 20'-0"
 JOB NO. 112.072
 DATE 02-15-13
 A.4
 M&S Group, Inc.
 Philadelphia, PA 19104
 822-731-7202

